

Application No.: 10/718,826

Docket No.: 200309756-1

REMARKS

Claims 1-30 are pending. Applicant thanks the Examiner for indicating that claims 9 and 15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 18 to correct a typographical informality. No new matter has been added. Applicant respectfully requests reconsideration of the rejected claims in view of the following remarks.

Claim Rejections Under 35 USC §102

Claims 1-4, 7, 11-14 and 16-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Frazer et al. (U.S. Patent No. 6,105,520). This rejection is respectfully traversed.

The pending claims are directed to a system and method for scheduling machines and other production devices. The system generally includes an interface for inputting attributes relating to particular machine and job characteristics. Additionally, the interface provides for multiple "views" of the scheduling system allowing the user to focus on the attributes currently of interest, while filtering out the rest. One of such views is a calendar view. As a specific example, the scheduling system of independent claim 1 recites, "wherein said interface selectively provides for a queue-list view and a calendar view of said output data." Independent claims 16, 19, and 24 each recite a similar calendar view feature. Applicant submits that Frazer does not disclose a calendar view of the output data, as recited in independent claims 1, 16, 19, and 24.

Rather, Frazer discloses a system and method for scheduling operations in a quilt manufacturing facility. The scheduling system includes an order entry and report out terminal which generates production requirements based on customer order entry information. Another terminal provides a real time feed-back of production statistics and machine status. However, as shown in Figures 4A-4W, this information is provided to the user in a listing type format, not in a calendar view as required by the pending independent claims. Applicant is unable to locate any part of Frazer that teaches a calendar view format of the output data.

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It is well settled that to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Here, the Frazer reference fails to meet this standard because there is no teaching of the output data being presented in a calendar view format. Therefore, for at least this reason, independent claims 1, 16, 19, and 24 are patentable over the cited art and in condition for allowance. In addition, claims 2-4, 7, 11-14, 17-18, 20-23, and 25-30, which depend from claims 1, 16, 19, and 24, are also in condition for allowance for at least the same reason. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim Rejections Under 35 USC §103

Claims 5-6, 8, 10, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Frazer et al. (U.S. Patent No. 6,105,520) in view of either Zey et al. (U.S. Patent No. 6,611,275) or Hohkibara et al. (U.S. Patent No. 6,438,436). These rejections are respectfully traversed.

As set forth above, Frazer does not disclose a calendar view of the output data, as required by the pending independent claims. The addition of Zey and Hohkibara, either alone or in combination with Frazer, do not cure this deficiency. Therefore, for at least this reason, claims 5-6, 8, 10, and 20, which depend from independent claims 1 and 16, are also in condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

Reconsideration and allowance are respectfully requested. In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 200309756-1 from which the undersigned is authorized to draw.

Dated: March 28, 2005

Respectfully submitted,

By 

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